

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Michael Frasier,)	Case No. 4:21-cv-00031-DCC-TER
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Dr. J. Alden, Richland Correctional)	
Institution Medical Staff, Associate)	
Warden A. Washington, Associate)	
Warden Bailey,)	
)	
Defendants.)	
)	

This matter is before the Court on Plaintiff's complaint alleging violations of his civil rights. ECF No. 1. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), this matter was referred to United States Magistrate Judge Thomas E. Rogers, III, for pre-trial proceedings and a Report and Recommendation ("Report"). On February 1, 2021, Plaintiff filed a motion to proceed in forma pauperis. ECF No. 7. That same day, the first installment payment of \$350.00 was received by the Court. ECF No. 8. On February 3, 2021, the Magistrate Judge issued a Report recommending that the motion to proceed in forma pauperis be denied and Plaintiff be required to pay the \$52.00 administrative fee based on review of the financial certificate. ECF No. 10. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. Plaintiff has not filed objections to the Report and the time to do so has lapsed. On February 19, 2021, the \$52.00 administrative fee was received by the Court. ECF No. 15.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a de novo determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). The Court will review the Report only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” (citation omitted)).

After considering the record in this case, the applicable law, and the Report of the Magistrate Judge, the Court finds no clear error and agrees with the recommendations of the Magistrate Judge. However, in light of the fact that Plaintiff has now paid the full filing fee and administrative fee, the Court finds that the Report [10] and the motion for leave to proceed in forma pauperis [7] are **MOOT**.

IT IS SO ORDERED.

s/ Donald C. Coggins, Jr.
United States District Judge

February 25, 2021
Spartanburg, South Carolina